

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

DELGARDO SCOTT, JR.,)	
)	2:16cv389
Plaintiff,)	Electronic Mail
)	
v.)	Judge David Stewart Cercone
)	Magistrate Judge Lisa Pupo Lenihan
REGULUS INTEGRATED)	
SOLUTIONS,)	
)	ECF No. 13
Defendant.)	
)	

MEMORANDUM ORDER

Plaintiff commenced this civil action by filing a Motion to Proceed *In Forma Pauperis* which was received by the Clerk of Court on April 4, 2016. The motion was granted and the Clerk then filed the Complaint on April 8, 2016. This case was referred to United States Magistrate Judge Lisa Pupo Lenihan for pretrial proceedings in accordance with the Magistrate Judges Act, 28 U.S.C. §636(b)(1), and Local Rules of Court 72.C and 72.D.

The Magistrate Judge's Report and Recommendation (ECF No. 19), filed on October 19, 2016, recommended that this civil action be dismissed with prejudice pursuant to Federal Rule of Civil Procedure 41(b) and that the Defendant's motion to dismiss pursuant to Rule 12(b)(6) (ECF No. 13) be denied as moot. Service was made on Plaintiff at his address of record, via certified mail, return receipt requested, First Class mail. Plaintiff was informed that in accordance with the Magistrate Judges Act, 28 U.S.C. § 636(b)(1)(B) and (C), and Rule 72.D.2 of the Local Rules of Court, that he had

fourteen (14) days to file any objections. To date, no objections have been filed to the Report and Recommendation.

After review of the pleadings and documents in the case, together with the Report and Recommendation, ^{7b} the following Order is entered:

AND NOW, this 15 day of November, 2016,

IT IS HEREBY ORDERED that this civil action is **DISMISSED WITH PREJUDICE** pursuant to Federal Rule of Civil Procedure 41(b).

IT IS FURTHER ORDERED that Defendant's motion to dismiss pursuant to Rule 12(b)(6) (ECF No. 13) is **DENIED AS MOOT**.

IT IS FURTHER ORDERED that the Report and Recommendation (ECF No. 19) of Magistrate Judge Lenihan dated October 19, 2016, is adopted as the opinion of the Court.

The Clerk of Court is directed to mark this case closed.



David Stewart Cercone
United States District Judge

cc: Honorable Lisa Pupo Lenihan
United States Magistrate Judge

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